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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.		Applicant(s)	
Office Action Summary	09/881,318		BROWN, WILLIAM J.	
	Examiner		Art Unit	
	Paulos M. Natnael		2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 25-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23,25-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

1.   Claim 23 is objected to because of the following informalities: Claim 23 depends

on claim 24, which is missing. Appropriate correction is required.

Drawings

2.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims. Therefore, the claimed items "a

user input signal source, a classifier coupled to the user input signal source, an address

generator coupled to receive input from the user input signal source and the classifier, a

control code memory coupled to receive input from the address generator, a transmitter

coupled to receive input from the control code memory" must be shown or the feature(s)

canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the

Office action to avoid abandonment of the application. The objection to the drawings

will not be held in abeyance.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims **1-23, 25-31** are rejected under 35 U.S.C. 102(e) as being anticipated by

Herz, U.S. Pat. No. 6,407,779.

Considering claim 1, a method of transmitting information from a first device to a second

device, comprising:

a) receiving a user input at the first device, is met by the input 215, FIG.2;

b) determining a class to which the user input belongs, identifying one of a plurality of

sets of information which is associated with the class, is met by the disclosure that "the

micro-controller 212 controls all major functions such as:"(1) handling user commands

received by the user interface 215, and generates control signals and transmits the

control signals to the television set 220, or any other AV devices by one of the two

transceivers; (2) processing electronic program guide...and (6) analyzing and

responding to user commands received from the user interface 215 and performing the

appropriate functions, etc." (col. 3, lines 47-65)

c) looking up at least one datum in the identified set of information, is met by the

microprocessor 212, Fig.2;

d) transmitting the datum, is met by transceiver 213, fig.2;

Considering claim **2**, the method of Claim 1, wherein the information is control

information, and the datum is a control code, is met by the disclosure that the

microprocessor "generates control signals and transmits controls signals to TV set 220".

col. 3, lines 50-51)

Considering claim **3**, the method of Claim 1, further comprising determining if a

programmed association feature is active, is met by the disclosure that "a select button

is provided in the remote control for the user to force and lock a specific communication

method. This can be done by simply deactivating the proximity sensor. By deactivating

the proximity sensor and forcing a communication mode on the remote control system,

the user can select a preferred and/or fixed method of communication between the

remote control and the television set." Col. 6, line 63 through col. 7 line 3

Considering claim **4**, the method of Claim 3, wherein receiving the user input comprises

recognizing a button press, is met by processor 212 which handles user commands

received by the user interface 215. (col. 3, 48-50)

Considering claim **5**, the method of Claim 4, wherein the first device is a remote control

unit, is met by the remote control 210, FIG.2;

Considering claim **6,** the method of Claim 1, wherein the second device is selected from

the group consisting of televisions, set-top boxes, compact disc players, digital 3

versatile disk players, tuners, radio receivers, and satellite receivers, is met by TV set

220, FIG.2;

Considering claim **7**, the method of Claim 1, wherein the second device is a remotely

controllable entertainment device, is met by TV 220, FIG.

Considering claim 8, the method of Claim 7, wherein transmitting comprises generating

an infrared signal, is met by Infrared communicator 213, fig.2 which transmits the IR

signals generated by 212.

Considering claim **9**, the method of Claim 1,

a) wherein the information is control information, and the datum is a control code, is met

by the disclosure that the microprocessor "generates control signals and transmits

controls signals to TV set 220". col. 3, lines 50-51)

b) receiving the user input comprises recognizing a button press, is met by processor

212 which handles user commands received by the user interface 215. (col. 3, 48-50)

c) the first device is a remote control unit, is met by the remote control 210, FIG.2;

d) the second device is a remotely controllable entertainment device, is met by TV 220, FIG.2;

e) further comprising determining if a programmed association feature is active,

is met by the disclosure that "a select button is provided in the remote control for the user to force and lock a specific communication method. This can be done by simply deactivating the proximity sensor. By deactivating the proximity sensor and forcing a communication mode on the remote control system, the user can select a preferred and/or fixed method of communication between the remote control and the television set." (Col. 6, line 63 through col. 7 line 3)

Considering claim 10, the method of Claim 1,

a) wherein the information is control information; the datum is a control code, , is met by the disclosure that the microprocessor "generates control signals and transmits controls signals to TV set 220". col. 3, lines 50-51)

b) receiving the user input comprises recognizing a voice command, is met by the disclosure that "It is another object of the present invention to provide a handwriting recognition input or voice recognition feature as the user interface for the remote control." (Col. 2, lines 13-15)

c) the first device is a remote control unit; the second device is a

remotely controllable entertainment device, is met by the remote 210 and TV 220,

respectively, FIG.2;

d) further comprising **determining if a programmed association feature is active,** is

met by the disclosure that "a select button is provided in the remote control for the user

to force and lock a specific communication method. This can be done by simply

deactivating the proximity sensor. By deactivating the proximity sensor and forcing a

communication mode on the remote control system, the user can select a preferred

and/or fixed method of communication between the remote control and the television

set." Col. 6, line 63 through col. 7 line 3

Considering claim **11**, a method, comprising:

a) receiving a command to enter a programming mode, is met by input GUI, 215;

b) receiving a first one of a first set of user inputs, the first set of user inputs defining a

plurality of devices, receiving a second one of a second set of user inputs, the second

set of user inputs defining commands, is inherent, because a receiver receives

commands from a remote controller device a first set of user input that for example

selects a device, TV, VCR, etc. and then receives a second user input which defines

another command such as power on/off, channel up/down, play, mute, etc.

Considering claim **12**, the method of Claim 11, wherein receiving the command to enter

the programming mode comprises processing signals which are received by a

universal remote control unit, is met by RF (from TV) received and demodulated by RF

demodulator 218, fig.2;

Considering claim **13**, the method of Claim 12, wherein receiving the first one of the first

set of user inputs comprises detecting a button press on a universal remote control

unit, and further comprising classifying the first one of the first set of user inputs.

See rejection of claim 11;

Considering claim **14**, the method of Claim 13, wherein detecting the button press

comprises generating at least one signal representative of the button which is pressed,

is inherent in remote controllers.

Considering claim **15**, the method of Claim 14, wherein classifying comprises

determining a function class associated with the button which is pressed based, at least

in part, on the at least one signal representative of the button which is pressed.

See rejection of claim 11;

Considering claim **16**, claim 16 is a method claim of claim 25, and therefore, claim 16 is

rejected for the same reasons as in claim 25. (see below)

Considering claim **17**, the method of Claim 16, wherein generating the classification code comprises a table-lookup operation, is inherent because the microprocessor does comprise a memory or storage device.

Considering claim **18**, the method of Claim 16, wherein accessing the first control code comprises generating a memory address and reading out the contents of a memory location, is met by the disclosure the micro-controller 212 controls all major functions such as:"(1) handling user commands received by the user interface 215, and generates control signals and transmits the control signals to the television set 220, or any other AV devices by one of the two transceivers; (2) processing electronic program guide... and (6) analyzing and responding to user commands received from the user interface 215 and performing the appropriate functions, etc." (col. 3, lines 47-65)

Considering claim **19**, the method of Claim 18, further comprising accessing a second control code based, at least in part, on the user input and the classification code.

See rejection of claim 18;

Considering claim **20**, the method of Claim 16, wherein transmitting the first control code comprises converting the control code to infra-red signals, is met by transceiver 213, Fig.2;

Considering claim **21**, the method of Claim 16, wherein receiving the user input

comprises detecting a button press and generating one or more electrical signals

representative of the button press.

Regarding claim 21, see rejection of claim 4;

Considering claim **22**, the method of Claim 16,

a) wherein receiving the user input comprises detecting a button press and generating

one or more electrical signals representative of the button press, is met by processor

212 which handles user commands received by the user interface 215. (col. 3, 48-50)

b) generating the classification code comprises a table-lookup operation; accessing the

first control code comprises generating as memory address and reading out the

contents of a memory location, is met by the microprocessor 212, fig.2; (see col. 3,

lines 47-65)

c) and transmitting the first control code comprises converting the control code to

infrared signals, is met by the transceiver 213, fig.2;

Considering claim **23**, wherein accessing the first control code comprises accessing

data from a table based at least in part on the classification code, wherein data in the

table represents a programmed association between a classification code and a target

device;

See rejection of claim 3,9,10;

Considering claim **25**, a remote control unit, comprising:

a) a user input signal source, is met by Input membrane and soft GUI 215, fig.2;

b) a classifier coupled to the user input signal source, is met by the Controller,

Formatter, Parser 212, fig.2;

c) an address generator coupled to receive input from the user input signal source and

the classifier, is met by also met by Controller, Formatter, Parser 212, fig.2; (see also

col. 3, lines 46-65)

d) a control code memory coupled to receive input from the address generator, is met

by Memory 216, fig. 2;

e) a transmitter coupled to receive input from the control code memory; is met by

transmitter 4, fig.1;

Considering claim **26**, the remote control unit of Claim 25, wherein the user input signal

source comprises a keypad, is met by the input membrane and soft GUI 215, fig.2

Considering claim **27**, the remote control unit of Claim 25, wherein the classifier

comprises a means for generating a classification code based on one or more signals

received from the user input signal source;

See rejection of claim 18;

Considering claim **28**, the remote control unit of Claim 25, wherein the address

generator comprises a means for generating a memory address as a function of signals

received from the user input signal source and from a target lookup table;

See rejection of claim 27;

Considering claim **29**, the remote control unit of Claim 25, wherein the classifier

comprises a processor and software code which is stored within the remote control unit,

is met by the microprocessor 212.

Considering claim **30**, the remote control unit of Claim 25, wherein the user input signal

source comprises a voice recognition module, is met by the disclosure that "It is another

object of the present invention to provide a handwriting recognition input or voice

recognition feature as the user interface for the remote control." (Col. 2, lines 13-15)

Considering claim **31**, an article of manufacture, comprising a machine readable

medium upon which is included instructions which when processed by the machine will

cause the machine to receive a user input; determine a class to which the user input

belongs; identify one of a plurality, of sets of information which is associated with

the class; look up at least one datum in the identified set of information; and

transmit the datum.

Regarding claim 31, see rejection of claim 25;

Considering claim *32*, the article of Claim 31, further including instructions which when

processed by the machine will cause the machine to determine if a programmed

association feature is active.

See rejection of claims 3;

Considering claim **33**, the article of Claim 32, wherein the information is control

information, and the datum is a control code;

See rejection of claim 2;

Considering claim **34**, the article of Claim 31, wherein transmitting the datum comprises

generating an infrared signal, is met by transceiver 213, fig.2;

Considering claim **35**, the article of Claim 31, wherein receiving the user input

comprises recognizing a voice command, is met by the disclosure that "It is another

object of the present invention to provide a handwriting recognition input or voice

recognition feature as the user interface for the remote control." (Col. 2, lines 13-15)

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kitao et al., U.S. Pat. No. 6,160,491 discloses a remote controller including a remote control interface.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 6:30am -3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Paulos Natnael *Pnn/*
September 24, 2003

MICHAEL H. LEE
PRIMARY EXAMINER